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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,798	06/05/2001	Ashvinkumar J. Sanghvi	MS1-693US	5525

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EXAMINER
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SIDDIQI, MOHAMMAD A

ART UNIT	PAPER NUMBER
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2154

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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<b>Office Action Summary</b>	<b>Application No.</b> 09/875,798	<b>Applicant(s)</b> SANGHVI ET AL.	
	<b>Examiner</b> Mohammad A. Siddiqi	<b>Art Unit</b> 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10/30/2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 5, 6, 8, 19, 20 and 24-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5-6, 8, 19-20, and 24-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 5-6, 8, 19-20, and 24-41 are presented for examination.

Claims 25-41 are new. Claims 1-4, 7, 9-18, and 21-23 have been cancelled.

#### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/30/2007 has been entered.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent,

or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 25, 30, and 34 are rejected under 35 U.S.C. 102(e) as being anticipated by Houston et. al. (US 20020019945) (hereinafter Houston).

5. As per claims 25, 30, and 34, Houston discloses a method for providing a centralized mechanism for collecting (225, fig 2) and handling event data, computer program stored on computer-readable media (220, fig 2), and system comprising:

receiving (140, event manager, fig 1) all event data generated by a plurality of event providers comprising at least a first and a second event provider in a network (205, 210, fig 2), the first and second event providers being different from each other (205, 210, fig 2), the plurality of event providers comprising components and applications of different types in the network (205, 210, 145, fig 2, page 2, page 3, para #0042);

determining, in accordance with one or more event handling policies (criteria for filtering and analyzing data based on the scope of the client, para #0033; Page 3, para #0043), which of plurality of event consumers handle the received event data the plurality of event consumers comprising at least a first and second event consumer

(145, fig 2, page 3, para #0041), the first and second event consumers being different from each other, the plurality of event consumers comprising components and applications of different types in the network (145, fig 2, page 3, para #0041-#0043);

sending the event data to the plurality of event consumers comprising the first and second event consumers (145, fig 2, page 3, para #0041-#0043);

wherein the plurality of event providers comprising the first and second event provider and the plurality of event consumers comprising the first and second event consumer are represented by an extensible common information model that encapsulates all the components and applications in the network (135, 145, fig 2, page 3, para #0041-#0043); and

wherein the event data is transmitted in a common event data format from the plurality of event providers to the plurality of event consumers via a common interface that supports a common event data format (135, 145, fig 2, page 3, para #0041-#0043), the common event data format being configured to encapsulate all event data from the plurality of different event providers including the first and second event providers and be supported by the plurality of different event consumers including the first and second event consumers (135, 145, fig 2, page 3, para #0041-#0043).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 5-6, 8, 19-20, and 24, 26-29, 31-33, and 35-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Houston et. al. (US 20020019945) (hereinafter Houston) in view of. Thebaut et. al. (5,889,953) (hereinafter Thebaut).

8. As per claims 27, 31, 37, and 38, Huston fails to disclose assigning a plurality of devices to a group, the assigned devices each having a common state as other devices in the group; and assigning one or more event handling policies to the group, wherein the assigned policies are associated with each of the devices in the group. However, Thebaut discloses assigning a plurality of devices to a group, the assigned devices each having a common state as other devices in the group (col 6, lines 3-11); and assigning one or more event handling policies to the

group, wherein the assigned policies are associated with each of the devices in the group (col 6, lines 21-31). Houston discloses managing and presenting event data collected from devices in the network. Thebaut discloses creating, assigning, and enforcing policies to the devices in the network. Houston explicitly does not teach creating, assigning, and enforcing policies in the network. It would have been obvious to one having ordinary skill in the art at the time invention was made to implement Houston teachings of logging and reporting event data in common format in the network policy management and conflict resolution system of the Thebaut to provide display data subscribed event data to any computer device.

9. As per claim 5, 19, and 37, the claim is rejected for the same reasons as claim 27, above. In addition, Thebaut discloses a particular device is assigned to multiple groups (col 8, lines 6-16).

10. As per claims 6, 20, and 36, the claim is rejected for the same reasons as claim 27, above. In addition, Thebaut discloses the one or more event handling policies\_policy defines how the device is configured identify the event data that are subscribed by the plurality of event consumers (col 3, lines 3-60).

11. As per claims 8 and 35, the claim is rejected for the same reasons as claim 27, above. In addition, Thebaut discloses the method is implemented by a management module (col 4, lines 8-67).

12. As per claim 24, the claim is rejected for the same reasons as claim 27, above. In addition, Thebaut discloses event log further comprises a version of an operating system, a location in a geographic region, a configuration of the system, presence of a particular hardware item, or capacity of a particular hardware item (col 5, lines 14-26, col 14, lines 5-23).

13. As per claims 26 and 32, the claim is rejected for the same reasons as claim 27, above. In addition, Thebaut discloses creating the one or more event handling policies at least in part on the basis of a plurality of inquiries subscribing the event data from the plurality of event consumers (col 3, lines 18-60).

14. As per claims 28 and 33, the claim is rejected for the same reasons as claim 27, above. In addition, Thebaut discloses creating an event log, the event log comprising one or more event handling policy (col 5, lines 14-26).



15. As per claims 29 and 39, the claim is rejected for the same reasons as claim 27, above. In addition, Thebaut discloses the creating comprises merging a plurality of event handling policies to a single combined event handling policy (col 4, lines 16-24).

16. As per claim 40, the claim is rejected for the same reasons as claim 27, above. In addition, Thebaut discloses a database configured to store the event data, the database being coupled to the management module (col 5, lines 14-25).

**17.** As per claim 41, the claim is rejected for the same reasons as claim 27, above. In addition, Thebaut discloses an event log configured to administrate the one or more event handling policies, the event log being coupled to the management module (col 5, lines 14-25).

### ***Response to Arguments***

18. Applicant's arguments filed 10/30/2007 have been fully considered but they are not persuasive, therefore rejections to claims 5-6, 8, 19-20, and 24-41 is maintained.

19. Applicant's arguments with respect to claims 27, 30, and 34 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad A. Siddiqi whose telephone number is (571) 272-3976. The examiner can normally be reached on Monday -Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

~~NATHAN FLYNN  
SUPERVISOR  
EXAMINER~~

MAS